

REMARKS

Applicants have considered the outstanding official action. It is respectfully submitted that the claims are directed to patentable subject matter as set forth below.

The sole outstanding rejection is of claims 1-25 under 35 U.S.C. §102(b) over U.S. Patent No. 5,000,729 (Yamauchi).

Independent claim 1 is directed to a folding machine to fold a web material along transverse folding lines including at least one folding roller provided with at least one mechanical gripping member to mechanically grasp the web material along a folding line and a gaseous flow member associated with the at least one gripping member.

The gaseous flow member is constructed and arranged to generate a gaseous flow which inserts the web material into the at least one mechanical gripping member. The mechanical gripping member is constructed and arranged to grasp the web material inserted therein by the gaseous flow.

Independent claims 24 and 25 include the same limitations as in claim 1, as well as additional limitations.

Each of independent claims 1, 24 and 25 and claims dependent thereon, are submitted to be patentable over Yamauchi as set forth below.

At page 2 of the outstanding action, the Examiner sets forth that -

"Yamauchi discloses a folding machine to fold a web material with the use of gripping members (Fig. 2, via 12), constructed and arranged to generate a gaseous flow (Fig. 2, via suction passage 17 and 18 and suction hole 15), the mechanical gripping member being constructed and arranged to grasp the web material inserted therein by the gaseous flow, see for example (Figs. 2 and 8-10); a counter roller (via 8'); on which a projection is provided (via 13')."

(emphasis added)

Applicants respectfully submit that Yamauchi does not teach a gaseous flow member constructed and arranged to generate flow which inserts a web material into a mechanical gripping member.

More specifically, Yamauchi describes a bag folding machine having a pair of rotating folding drums 8 and 8' which interact with thrusting rollers 7 and 7'. The thrusting rollers include thrust blades 9 and 9'. Each folding drum has (1) a pair of longitudinal grooves 10 and

10' having a pair of swing grippers 12 and 12' disposed therein and (2) a pair of thrusting and cutting blades 13 and 13'. The grooves are positioned to coincide, respectively, first with thrust blades 9 and 9' and, thereafter, with the thrusting and cutting blades 13 and 13'.

In operation, a tube of plastic bags are fed between the thrusting rollers and folding drums and thereafter between the folding drums at the point of tangency of the folding drums 8 and 8' (column 1, lines 36-53). As shown in Figure 2 and described at column 7, lines 1-30,

"the thrust blade 9 of the auxiliary thrust roller 7 thrusts the tube P into the groove 10 of the folding drum 8. Then, air is sucked through the suction holes 15 formed in the suction surface 14 to hold the tube P by suction in the groove 10.

"Upon the arrival of the thrusting and cutting blade 13 at an upper position, the tube P is cut into separate bags P-1 by the cooperative action of the thrusting and cutting blade 35

"Upon the engagement of the thrusting and cutting blade 13 of the first folding drum 8 with the groove 10' of the second folding drum 8', the shaft 11' ... is turned ... to engage the swing

gripper 12' and the thrusting and cutting blade 13 as shown in FIG. 8." (Emphasis added)

Accordingly, Yamauchi specifically teaches that the thrust blade 9 mechanically contacts and inserts the plastic tube into the groove in the folding drum. Once the tube is mechanically inserted into the groove, air is then used to suck the plastic tube to a suction surface wherein the tube is then maintained through a cutting operation and, thereafter, by means of further mechanical positioning by thrusting and cutting blade 13 is pushed into a swing gripper where it is mechanically gripped and held to a surface by suction in a folded position. Yamauchi, therefore, does not teach a folding machine including a gaseous flow member constructed and arranged to generate a gaseous flow which inserts a web material into a mechanical gripper as specifically defined in applicants' claimed machine.

Applicants, therefore, consider the claimed machine as previously claimed to be patentably distinct from the teachings of Yamauchi. However, to further emphasize this distinction and to move the prosecution forward, applicants have amended the claims to particularly state that the gaseous flow member is constructed and arranged to generate a gaseous flow which inserts the web material into the at least one mechanical gripping member in absence of a

folding blade. Support is present in the specification at page 2, lines 27-32.

Through the claimed apparatus having a gaseous flow member structured to provide a gas flow to introduce a web into a mechanical gripping member in absence of the mechanical contact of a folding blade, applicants' claimed machine provides for gentler handling of the web and smoother operation due to solving the problems of mechanical wear, noise and vibrations caused by a conventional apparatus, such as described in Yamauchi, where mechanical thrust blades (9, 9' and 13, 13') mechanically push a plastic tube into a groove and a gripper.

Accordingly, applicants' claimed machine has a different combined structure, as evident from its function, over the machine as described in Yamauchi. Applicants' claimed machine is based on a different concept, namely, to provide a gaseous flow member constructed and arranged to generate a flow of air to introduce a web into a gripping member to thereby solve problems created by the traditional blade/gripper arrangement as taught in Yamauchi.

Therefore, Yamauchi does not teach each and every element of the claimed machine and, thus, does not anticipate the claimed machine within the meaning of 35 U.S.C. §102. Withdrawal of the §102 rejection is, therefore, requested.

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Reconsideration and allowance of the application
are respectfully urged.

Respectfully submitted,

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